

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

FRANCIS GRANDENETTI,

PLAINTIFF

V.

NO. 2:04CV306-P-D

ANDREW ESTRIDGE, ET AL,

DEFENDANTS

ORDER DENYING PLAINTIFF'S MOTION FOR RECONSIDERATION

This *pro se* § 1983 was dismissed on August 24, 2005, in accordance with plaintiff's notice of voluntary dismissal. Plaintiff on October 26, 2005, filed a Motion for "Supreme Court of the United States injunctive relief." On January 20, 2006, Magistrate Judge Jerry Davis issued an order stating that "[t]he plaintiff has filed with this court a motion purporting to seek injunctive relief from the Supreme Court of the United States (Doc. 42). No relief is due from this court on that motion and it is terminated on the docket of this court." On January 25, 2006, plaintiff filed a motion for reconsideration of this order.

A Federal District Court has no jurisdiction to act upon a motion that was directed to the United States Supreme Court, and Magistrate Judge Davis clearly acted properly in ordering the motion terminated from the docket of this court. Any motion which plaintiff wants to direct to the United States Supreme Court should be sent to that court rather than the Federal District Court.

Plaintiff, who was convicted in the state of Hawaii in March 1994 of one count of forgery and three counts of theft and is currently incarcerated at the Tallahatchie County Correctional Facility, a prison facility in Tutwiler, Mississippi, which houses prisoners from other states on a contract basis. The court notes that Grandinetti, before coming to the state of Mississippi, had filed at least 27 actions in various Federal District Courts and Courts of Appeals since 1996. *See*, U.S.

Party/Case Index, PACER Service Center, available at <http://pacer.psc.uscourts.gov>.¹ Since arriving at Tutwiler he has filed innumerable pleadings in this court, both before and after being barred on November 21, 2005, pursuant to the “three-strikes rule” of 28 U.S.C. § 1915(g), from filing any future *pro se in forma pauperis* complaints. Accordingly, it is hereby

ORDERED:

- 1) The motion for reconsideration (Docket entry 46) is denied.
- 2) The clerk of court is directed to file no further pleadings in this matter other than pleadings relating to an appeal of the dismissal of this case.
- 3) Any further submissions by plaintiff not related to an appeal of this case will be neither acknowledged nor addressed by the court.

THIS the 26th day of January, 2006.

/s/ W. Allen Pepper, Jr.
W. ALLEN PEPPER, JR.
UNITED STATES DISTRICT JUDGE

¹ Not all federal courts are represented on this database, so Grandinetti may well have other cases than the 27 known to the court.